

1 campaign, this 2000 election.

2 Pisano advised Judge Holder that she has
3 witnessed attorneys paying Judge Ficarrotta money for
4 contributions to Sheriff Henderson's campaign.

5 Q Is it your belief that if all of that
6 were true, some of those acts, and I'm really alluding
7 more to the fundraising activity, could be criminal in
8 nature?

9 A Yes.

10 Q Well, if you were just listing
11 speculatively reasons why in my wildest imagination
12 Bonanno was in Holder's office, could you speculate
13 that it might be to obtain that diary if you believed
14 it was there?

15 A If you believed that it was there, yes.

16 Q Could you speculate that it might be to
17 obtain copies of e-mails that Judge Holder had sent to
18 the JQC and/or the Governor if it was there?

19 A Yes, sir, if it was there.

20 Q Could you speculate that it was to obtain
21 Judge Ward material if they believed that Holder was
22 part of the leak or part of the pipeline to the JQC?

23 A Yes, sir.

24 Q Could you believe that it might be to
25 obtain materials of whatever nature or files on other

1 judges that Judge Holder might have kept?

2 A Yes, sir. And I'd like to state that
3 Judge Holder did make a file in the drawer of his desk
4 here in the hearing room, the chambers, which was
5 marked "Ward," and it did contain various newspaper
6 clippings and e-mails and so forth. So there was such
7 a file in Judge Holder's office.

8 Q It is fair to say based on previous
9 statements that what Judge Bonanno says happened as far
10 as hiding or not hiding, being forthcoming, and what
11 Bailiff Gay says happened don't match up at all?

12 A That's correct.

13 Q In fact, they are irreconcilable?

14 A I would say that, yes, sir.

15 Q Do you have an opinion, simply based on
16 having visited this area a time or two, that if you
17 went there at 5:20 or 5:25 in the afternoon, courthouse
18 is quiet, and you opened this door and yelled, "Hey,
19 Greg," reasonable tone of voice like you wanted to find
20 out if someone was there, could that be heard in every
21 room in that office?

22 A Oh, without question, yes.

23 Q You could satisfy yourself that someone
24 was there or not there, or at least if they were there
25 they didn't want to see you, by opening that door and

1 yelling; is that correct?

2 A That's correct.

3 Q I want momentarily to open it up to the
4 Grand Jurors for any questions --

5 A Why don't we go to --

6 Q -- but I want to make sure that you've
7 covered everything?

8 A Yeah, I just want to add one thing, that
9 during my interview of Judge Bonanno, I asked Judge
10 Bonanno if he had a key to Judge Holder's office. He
11 indicated that he had a master key, but he was unsure
12 if it actually worked on Judge Holder's office doors.

13 I asked him to show me the key. And when
14 he showed me the key, I asked him if he'd mind if I
15 tried it on the doors. I took it upstairs. I tried it
16 on all four doors of the -- of Judge Holder's office,
17 and his key opened all four doors.

18 Q Did you have occasion to ask Judge Holder
19 when was the last time Judge Bonanno paid him a social
20 visit?

21 A I'm trying to recall when. Judge
22 Bonanno, of course, works in a completely different
23 division. His office is way down at the end of this
24 hallway where Judge Holder's is about three-quarters of
25 the way down that hallway. And Judge Bonanno spent

1 little to no time down in Judge Holder's chambers.

2 I think one of the last times that they
3 may have met down in Judge Holder's chambers had to do
4 with something went wrong with Judge Holder's computer
5 and/or shortly thereafter -- shortly after State
6 Attorney Harry Lee Coe's death.

7 Q They -- they did not have a social,
8 friendly relationship?

9 A They did not have a social relationship.

10 Q Okay. I want to mark, and I want the
11 record to reflect as you identify, this purports to be
12 a layout of Judge Holder's chamber area?

13 A Yes, sir.

14 Q I'm going to mark that Grand Jury Exhibit
15 No. 1.

16 (The document referred to was
17 marked as State's Exhibit
18 No. 1 for identification.)

19 BY MR. HILL (resuming):

20 Q You were previously testifying from what
21 appears to be a July 2000 monthly planner. It is a
22 large calendar of the month of July with various dates,
23 for instance, Judge Coe's body found on the 13th, all
24 the way through the meeting on the 31st of Holder,
25 Bonanno, and Alvarez, various other dates when things

1 happened; is that correct?

2 A Yes, sir.

3 Q I will identify that as Grand Jury
4 Exhibit No. 2.

5 (The document referred to was
6 marked as State's Exhibit
7 No. 2 for identification.)

8 BY MR. HILL (resuming):

9 Q And then lastly, for the record, let me
10 show you and have you identify what appears to be a
11 time line similar but a different layout than the
12 calendar. It starts with July 13th and goes through
13 August 1st of 2000?

14 A Yes, sir.

15 Q I will identify that as Grand Jury
16 Exhibit No. 3.

17 (The document referred to was
18 marked as State's Exhibit
19 No. 3 for identification.)

20 BY MR. HILL (resuming):

21 Q Anything else you want to mention before
22 we open it up?

23 A As I mentioned earlier, we had -- when we
24 had dusted Judge Holder's office for latent prints,
25 fingerprints, even if the fingerprints are several days

1 old, weeks old, they can still -- if they're there they
2 can still be lifted. We found several I guess the
3 correct term would be we found several latents.

4 I asked Judge Bonanno for a copy of his
5 fingerprints. He provided them to me. We compared
6 them and we did not -- we did not get any hits. His,
7 Judge Bonanno's fingerprints did not match the latents
8 that we lifted from the office.

9 We also -- I also met with the courthouse
10 network administrator for their computer system to
11 determine if Judge Bonanno had Judge Holder's password
12 to his computer possibly to intercept e-mails, things
13 of that nature. I was told that he did not.

14 We conducted -- let me find the report
15 here -- we examined the back-up tapes for the network
16 server here at the courthouse. And the examination of
17 those tapes' audit logs disclosed that on July 26, 2000
18 at 7:08 a.m. Judge Holder's user name was successfully
19 logged off the network, and the next entry to the
20 network was July 31st of 2000.

21 So what that indicated to me is that no
22 one accessed Judge Holder's computer via the network
23 during his absence on military leave.

24 And we conducted one final examination,
25 and that was on Judge Holder's personal computer. It's

1 a lap-top type computer in his office. According to
2 our crime lab there appeared to be no file activity
3 between 7/26/2000 at 10:20 in the morning and 7/30 of
4 2000 at approximately 9:59 a.m., that there was no file
5 activity.

6 It was impossible to determine, however,
7 if the computer was accessed at all during the time
8 frame that Judge Holder was on military leave due to
9 subsequent use of the computer by himself on July 30th,
10 2000 and July 31st.

11 What that means is, the way it's been
12 explained to me, is if someone had entered Judge
13 Bonanno -- or Judge Holder's office and just clicked on
14 his computer so that it could warm up so the screen
15 comes on, we can detect that that has happened with the
16 date and time. But because the computer had been
17 accessed by Judge Holder, that information was lost and
18 we could not do that.

19 We could say that there was no file
20 activity on the computer between while he was on
21 military leave, but we could not say that the computer
22 was turned on or turned off while he was gone. That
23 computer was, in fact, in Judge Holder's office on the
24 night the incident took place.

25 Q Scott, I want to attempt for just a

1 moment to paint a broader image of Judge Bonanno. And
2 you may not be able to help me with this. To your
3 knowledge, not that you did any other investigations on
4 him, but to your knowledge has he been investigated
5 before?

6 A I believe he has, yes.

7 Q Did that have to do with an incident
8 involving a prostitute or prostitutes?

9 A I'm sorry. I have not read up on those
10 case files.

11 Q Okay. All right. Or have you read an
12 incident about him misleading a jury when he was a
13 prosecutor on a homicide case?

14 A No, sir.

15 Q Are you thinking of some other instances
16 you can share with us?

17 A No, sir.

18 Q Okay. All right. All right.

19 A I'm aware that we have some other
20 paperwork in the office on some previous investigations
21 our Executive Investigation Unit of Tallahassee had
22 conducted, but I haven't taken the time to examine or
23 read those files.

24 Q And the Grand Jury is fully aware that
25 you're taking a well-deserved trip. You'll be gone for

1 how many weeks?

2 A I will be back on the 21st, which is a
3 Saturday.

4 Q Okay. Are those files available to you
5 to be shared with the Grand Jury should they choose to
6 look at them?

7 A Yes. My -- the agent that will be
8 sitting in for me during my absence, she will have
9 access to any and all information that you need.

10 Q Would you ask her to retrieve those files
11 and have them available?

12 A Surely, yes.

13 Q Thank you. You know, we've listened to a
14 lot of things, and you don't get the picture of a
15 person that was on particularly a mission of mercy.
16 But the reality is very simple: We can't say what he
17 was up to in that room, can we?

18 A That's correct, we cannot.

19 Q We don't know if he was there for a bad
20 purpose or for a good purpose?

21 A That's correct.

22 Q What we do know is that if you were to
23 believe Bailiff Gay, his conduct was incredibly
24 suspicious?

25 A Incredibly suspicious, yes, sir.

1 MR. HILL: Questions? Oh, we don't have
2 any, huh? Let's see if we can do this
3 logically. And what we do need to do is make
4 sure we ask a question and not make a statement.
5 And if it's all right, we'll just start in the
6 back row, we'll run down and we'll get
7 everybody. Yes, ma'am.

8 EXAMINATION

9 BY GRAND JUROR:

10 Q When you dusted the office for Judge
11 Bonanno's fingerprints --

12 A Yes, ma'am.

13 Q -- you said you didn't find any that
14 matched him?

15 A That's correct.

16 Q None on the door, the picture, or
17 anywhere in there that matched him?

18 A Right. Right. Right. We dusted the, I
19 guess, the metal plates where the light switches are
20 at, the top of the desks, the drawer knobs. In fact,
21 that file that I indicated to you, that Ward file that
22 was contained in the -- Judge Holder's desk, we removed
23 that and we printed every sheet of paper contained in
24 that file, which I have with me if --

25 MR. HILL: Just tell her, just generally

1 testify --

2 A It's quite thick.

3 Q But there wasn't any, like, a normal
4 area --

5 A And there were no fingerprints on any of
6 those pages of that file either.

7 MR. HILL: Too much television.

8 Fingerprints are the most overworked thing in
9 the world. But it's a good question, and it
10 does point out something: You know he was
11 there.

12 GRAND JUROR: That's my thing, he had to
13 have touched something.

14 MR. HILL: He wasn't wearing gloves, and
15 you still -- but you still can't find prints
16 every time. So it's not like you see on
17 television. Next person.

18 BY GRAND JUROR:

19 Q Where did you get the prints that you
20 said he provided you?

21 A Then again, I'd have to refer to the
22 crime scene diagram.

23 Q Did he give you the -- Bonanno's?

24 A Oh, you mean how -- his fingerprints? I
25 met with Judge Bonanno at the office of his attorney

1 and he provided us major case prints; not only his
2 fingerprints, but his palm prints, --

3 Q You saw that?

4 A -- the sides of his fingers. And that
5 was taken by our crime lab, yes, sir.

6 MR. HILL: Okay. We're going to stay
7 with that back row. Yes, ma'am.

8 BY GRAND JUROR:

9 Q Did Judge Holder say anything was
10 missing, or was Ms. Pisano's journal missing? Was
11 anything actually missing from his office, did he say?

12 A There was no items reported as missing.
13 That particular journal that you're referring to was
14 not kept or maintained by Judge Holder, it was kept and
15 maintained by --

16 Q But there was some suspicions it could be
17 in there? I thought that was raised. At any rate --

18 MR. HILL: I remember the question was
19 theoretically --

20 GRAND JUROR: Okay.

21 MR. HILL: -- because the testimony was
22 that Tara Pisano and --

23 GRAND JUROR: Wrote in there.

24 MR. HILL: -- Gay, Bailiff Gay were good
25 friends, spent time in the break room working on

1 things.

2 BY GRAND JUROR (resuming):

3 Q And one other thing. Would that
4 reflection -- somebody said that it was not a shadow
5 but actually a reflection that Bailiff Gay saw?

6 A Yeah, there are some pictures on the wall
7 that have like a glass over it so you could actually
8 see a reflection.

9 Q I know sometimes if you're looking at a
10 reflection things don't always move in the same
11 direction in the reflection that the person is moving
12 in reality. If you have a couple of different, you
13 know, glass reflecting off a mirror, so --

14 A What we did is --

15 Q -- was it him moving back or her moving
16 forward?

17 A -- we recreated the reflection as she
18 said she saw it. And in order to make the reflection
19 move in the direction she said it moved you were moving
20 away.

21 MR. HILL: And by the way, we will take a
22 field trip and we will see those offices before
23 it's said and done. Yes, sir.

24 BY GRAND JUROR:

25 Q Two questions: One, when I looked at the

1 office, the picture there, you had -- the drawing as
2 you have the offices, there is no -- standing in the
3 doorway where lady Gay was, said she was, it's almost
4 impossible to see directly to that pic -- well, it is
5 impossible to see the picture. But it could
6 possibly --

7 A Here?

8 Q Right, the picture was there. By drawing
9 a straight line from the picture to this door I don't
10 believe you can see it. However, now my question --

11 A Just remember, this is not to scale.

12 Q Okay. That eliminates my question right
13 there. Okay.

14 MR. HILL: But your premise is accurate,
15 I believe --

16 GRAND JUROR: Okay. Well, --

17 MR. HILL: -- that you would not be able
18 to see that picture from the front door.

19 BY GRAND JUROR (resuming):

20 Q But it would be -- it would be all right
21 to say, though, that she could very well have seen a
22 shadow or a person in front of those, what are they,
23 chairs or whatever they might be?

24 A Okay. The shadowed reflection was on
25 some pictures that were hanging on this wall right

1 here. The picture that Judge Bonanno has indicated
2 that he was looking at is on this particular wall right
3 here (indicating).

4 Q Okay. All right. And my other question
5 was, has it been established that he has been
6 investigated before this particular incident?

7 MR. HILL: No, it has not. That is not
8 for your consideration at this point.

9 GRAND JUROR: Okay.

10 MR. HILL: Yes, sir.

11 BY GRAND JUROR:

12 Q Okay. Do you know if the desk where the
13 Ward file is, if those drawers are locked or if they're
14 capable of being locked, and whether or not they --

15 A They're capable of being locked. They
16 were not locked.

17 Q They were not locked?

18 A No.

19 Q And you also do or do not know what
20 folders Bonanno was, I think, pretty much when he was
21 found with --

22 A Oh, that he had in his hand?

23 Q Right.

24 A He indicated that what he had in his hand
25 were the monthly stat sheets that he was delivering to